



Service of Process Transmittal Summary

TO: KIM LUNDY- EMAIL, Important Note here
Walmart Inc.
GLOBAL GOVERNANCE/CENTRAL INTAKE, 2914 SE I STREET MS#0200
BENTONVILLE, AR 72712-3148

RE: Process Served in Georgia

FOR: Wal-Mart Stores East, LP (Delaware) (Assumed Name) (Domestic State: DE)
Wal-Mart Stores East, LP (True Name)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: Emerson Damien // To: Wal-Mart Stores East, LP
Name discrepancy noted.

DOCUMENT(S) SERVED: Attachment(s), Summons, Complaint and Demand, First Interrogatories and Request(s)

COURT/AGENCY: Fulton County - State Court, GA
Case # 23EV000412

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 10/19/2021, Wal-Mart located at 6149 Old National Highway, College Park, GA, 30349

PROCESS SERVED ON: The Corporation Company (FL), Cumming, GA

DATE/METHOD OF SERVICE: By Process Server on 01/27/2023 at 14:52

JURISDICTION SERVED: Georgia

APPEARANCE OR ANSWER DUE: Within 30 days after service, not counting the day of service (Document(s) may contain additional answer dates)

ATTORNEY(S)/SENDER(S): Robert C. Edwards
Morse and Edwards, LLC
191 Cleveland Avenue
Atlanta, GA 30315
404-762-1100

ACTION ITEMS: CT has retained the current log, Retain Date: 01/27/2023, Expected Purge Date: 02/06/2023
Image SOP

REGISTERED AGENT CONTACT: The Corporation Company (FL)
106 Colony Park Drive STE 800-B
Cumming, GA 30040
877-564-7529
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT



CT Corporation
Service of Process Notification

01/27/2023

CT Log Number 543108208

disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

PROCESS SERVER DELIVERY DETAILS

Date: Fri, Jan 27, 2023
Server Name: Drop Service

Entity Served	WAL-MART STORES EAST, LP (DELAWARE)
Case Number	23EV000412
Jurisdiction	GA

Inserts		





GEORGIA CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE
BRAD RAFFENSPERGER

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **WAL-MART STORES
EAST, LP (DELAWARE)** Control Number: **0150520**

Business Type: **Foreign Limited
Partnership** Business Status: **Active/Owes Current Year
AR**

Business Purpose: **NONE**

Principal Office Address: **702 SW 8th St.,
Bentonville, AR, 72716,
USA** Date of Formation /
Registration Date: **11/16/2001**

Jurisdiction: **Delaware** Last Annual Registration
Year: **2022**

Principal Record Address: **NONE**

REGISTERED AGENT INFORMATION

Registered Agent Name: **THE CORPORATION COMPANY (FL)**

Physical Address: **106 Colony Park Drive Ste. 800-B, Cumming, GA, 30040-2794, USA**

County: **Forsyth**

GENERAL PARTNER INFORMATION

Name	Title	Business Address
WSE MANAGEMENT,, LLC	General Partner	708 SW 8th Street, Bentonville, AR, 72716, USA

[Back](#)

[Filing History](#)

[Name History](#)

[Return to Business Search](#)

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☒ State Court of FULTON County

For Clerk Use Only

Date Filed _____

MM-DD-YYYY

Case Number _____

Plaintiff(s)

Emerson, Damien

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Defendant(s)

Walmart Stores East, LP

Last First Middle I. Suffix Prefix

Doe, Casey I

Last First Middle I. Suffix Prefix

Doe, Casey II

Last First Middle I. Suffix Prefix

Doe, Casey III

Last First Middle I. Suffix Prefix

Plaintiff's Attorney Robert Edwards State Bar Number 241543 Self-Represented ☐

Check one case type and one sub-type in the same box (if a sub-type applies):

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contempt/Modification/Other Post-Judgment
- ☐ Contract
- ☐ Garnishment
- ☒ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Contempt
- ☐ Non-payment of child support, medical support, or alimony
- ☐ Dissolution/Divorce/Separate Maintenance/Alimony
- ☐ Family Violence Petition
- ☐ Modification
- ☐ Custody/Parenting Time/Visitation
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

- ☐ Check if the action is related to another action pending or previously pending in this court involving some or all of the same: parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number _____

Case Number _____

- ☐ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in OCGA § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

_____ Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

GEORGIA, FULTON COUNTY

DO NOT WRITE IN THIS SPACE

STATE COURT OF FULTON COUNTY

Civil Division

CIVIL ACTION FILE #: _____

Damien Emerson
3 Hillside Court
Ellenwood, GA, 30294

Plaintiff's Name, Address, City, State, Zip Code

vs.

Wal-Mart Stores East, LP
112 North Main Street
Forsyth GA 30040

Defendant's Name, Address, City, State, Zip Code

TYPE OF SUIT	AMOUNT OF SUIT
<input type="checkbox"/> ACCOUNT	PRINCIPAL \$ _____
<input type="checkbox"/> CONTRACT	
<input type="checkbox"/> NOTE	INTEREST \$ _____
<input type="checkbox"/> TORT	
<input type="checkbox"/> PERSONAL INJURY	ATTY. FEES \$ _____
<input type="checkbox"/> FOREIGN JUDGMENT	
<input type="checkbox"/> TROVER	COURT COST \$ _____
<input type="checkbox"/> SPECIAL LIEN	

<input type="checkbox"/> NEW FILING	
<input type="checkbox"/> RE-FILING: PREVIOUS CASE NO. _____	

SUMMONS

TO THE ABOVE NAMED-DEFENDANT:

You are hereby required to file with the Clerk of said court and to serve a copy on the Plaintiff's Attorney, or on Plaintiff if no Attorney, to-wit:

Name: Robert EdwardsAddress: 191 Cleveland AvenueCity, State, Zip Code: Atlanta, GA 30315 Phone No.: 404-762-1100

An answer to this complaint, which is herewith served upon you, must be filed within thirty (30) days after service, not counting the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint, plus cost of this action. **DEFENSES MAY BE MADE & JURY TRIAL DEMANDED**, via electronic filing or, if desired, at the e-filing public access terminal in the Self-Help Center at 185 Central Ave., S.W., Ground Floor, Room TG300, Atlanta, GA 30303.

Donald Talley, Chief Clerk (electronic signature)

SERVICE INFORMATION:

Served, this _____ day of _____, 20_____.

DEPUTY MARSHAL, STATE COURT OF FULTON COUNTY

WRITE VERDICT HERE:

We, the jury, find for _____

This _____ day of _____, 20_____, _____ Foreperson

(STAPLE TO FRONT OF COMPLAINT)

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

DAMIEN EMERSON,

Plaintiff,

vs.

**WAL-MART STORES EAST,
LP, CASEY DOE I, CASEY DOE
II, and CASEY DOE III,**

Defendants.

**CIVIL ACTION
FILE NO:**

JURY TRIAL DEMANDED

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiff and sues Defendants as follows:

1.

Plaintiff is a resident of the State of Georgia.

2.

Defendant Wal-Mart Stores East, LP (hereinafter "Wal-Mart") is a foreign limited partnership authorized to do business in Georgia and is subject to the jurisdiction and venue of Fulton County. Defendant's registered agent, The Corporation Company, is located at 112 North Main Street, Cumming, Forsyth County, Georgia 30040, and may be served at this address.

3.

The Defendants designated as Casey Does I, II, and II are each subject to the jurisdiction of this Court either as a resident of this County or as a joint tortfeasor with Defendant Wal-Mart.

4.

At all relevant times, the Defendant designated herein as Wal-Mart has operated a store at 6149 Old National Highway, College Park, GA 30349, (hereinafter "Old National Store"), which is open to the public.

5.

Wal-Mart assigns to some of its employees the duty of inspecting and cleaning the bathrooms of the Old National Store to make sure they are reasonably free of slipping hazards.

6.

At all relevant times, Wal-Mart had the duty to exercise ordinary care to make certain the Old National Store was reasonably safe for business invitees.

7.

At all relevant times, Wal-Mart had the duty to warn business invitees of danger.

8.

At all relevant times, Wal-Mart assigned the duty to the individual Defendants Casey Does, I, II, and III, to exercise ordinary care to ensure the bathrooms of the

Old National Store were reasonably free of slipping hazards that could harm business invitees and others.

9.

At all relevant times, Wal-Mart assigned the duty to the individual Defendants to warn business invitees and others of any slipping hazard in the bathrooms of the Old National Store.

10.

On or about October 19, 2021, Plaintiff was an invitee of the Old National Store. Plaintiff slipped on water on the floor of the Men's bathroom, causing him to fall to the floor striking his head and rendering him unconscious.

11.

At all relevant times, Plaintiff exercised reasonable care for his own safety.

12.

At all relevant times, Defendant Wal-Mart owed a legal duty under O.C.G.A. § 51-3-1 of reasonable care and diligence to inspect and keep the premises in a safe condition. At all relevant times, Defendant Wal-Mart negligently failed to inspect the premises, failed to correct the hazardous condition, and failed to warn patrons of the hazardous condition.

13.

At all relevant times, individual Defendants Casey Does I, II, and II failed to use reasonable care and diligence in performing their duties to Wal-Mart to ensure the aisles of the Griffin Store were reasonably free of slipping hazards that could harm business invitees and others or to warn business invitees of unreasonable slipping hazards.

14.

As a proximate result of Defendants' negligence, Plaintiff sustained injuries. As a result of Defendants' negligence, Plaintiff has incurred at least \$117,198.30 in past medical expenses. Plaintiff will also require an amount to be determined for future medical expenses as a result of Defendants' negligence. Additionally, Plaintiff is entitled to recover general damages.

WHEREFORE, Plaintiff prays for and judgment against Defendant as follows:

- a. That Plaintiff recovers for the full value of his past and future medical expenses;
- b. That Plaintiff recover general damages for his past and future pain and suffering;
- c. That Plaintiff recovers costs;
- d. That Plaintiff recovers such other relief as is just and proper; and

e. That all issues be tried before a jury of twelve persons.

This 20th day of January, 2023.

By: /s/ Robert C. Edwards
Robert C. Edwards
Georgia Bar No.: 241543
Attorney for Plaintiff

MORSE AND EDWARDS, LLC
191 Cleveland Avenue SW
Atlanta, GA 30315
Tel: 404-762-1100
Fax: 770-212-2271
redwards@morseandedwardslaw.com

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

DAMIEN EMERSON,

Plaintiff,

vs.

**WAL-MART STORES EAST,
 LP, CASEY DOE I, CASEY DOE
 II, and CASEY DOE III,**

Defendants.

**CIVIL ACTION
 FILE NO:**

JURY TRIAL DEMANDED

**PLAINTIFF'S FIRST INTERROGATORIES AND REQUEST FOR
 PRODUCTION OF DOCUMENTS TO WAL-MART STORES EAST, LP**

TO: Wal-Mart Stores East, LP

Plaintiff, pursuant to O.C.G.A. §§ 9-11-33 and 9-11-34, submits herewith to the defendant above named for response within 45 days after service hereof, in the form provided by law, the following interrogatories and request for production of documents.

The within interrogatories and request for production of documents are continuing and require supplemental response upon the discovery of other or further information or documents pertinent thereto.

In answering the following interrogatories, the defendant is required to give full and complete information based upon the knowledge, information and belief of

all agents, employees, investigators, adjusters, attorneys and insurers of said defendant.

As used herein, “the premises” or “the store” shall mean the Wal-Mart Supercenter located at 6149 Old National Highway, College Park, Georgia 30349, as the context may determine.

As used herein, “you” or “your” shall refer to Wal-Mart Stores East, LP, and its officers, directors, employees, agents, attorneys at law and in fact, successors and assigns, together with its parent companies, sister companies, subsidiaries and their officers, directors, employees, agents, attorneys at law and in fact, successors and assigns.

As applied to a person and used herein, “identify” shall mean to state their name, address, phone numbers, email addresses, along with the name of their employer and its address, phone numbers, email addresses and website.

As applied to an entity and used herein, “identify” shall mean to state its name, address, phone numbers and to identify its owner and/or manager.

As applied to a document or thing, “identify” shall mean to state its name or title, the location of the original, and to identify its author and identify who has custody or possession of the original or copies of the document or thing.

1.

Identify any person who, to your knowledge, information or belief:

- (a) Was an eyewitness to the incident complained of in this action;
- (b) Came upon the scene of the incident complained of in this action within the 30 minutes following the incident;
- (c) Spoke with Plaintiff after his fall;
- (d) Participated in the completion or preparation of an incident report concerning Plaintiff's fall;
- (e) Was in the vicinity of Plaintiff's fall within the 30 minutes preceding his fall;
- (f) Participated in cleaning or attending to the restroom where Plaintiff fell during the two hours before Plaintiff fell;
- (g) Responded to Plaintiff's fall;
- (h) Assisted Plaintiff after he fell;
- (i) Was the manager or assistant manager on duty at the time of Plaintiff's fall;
- (j) Has some knowledge of any fact or circumstance upon which your defense is based;
- (k) Has conducted any investigation relating to the incident complained of or the background, employment, medical history or activities of the plaintiff.

2.

To your knowledge, information or belief, has any person identified in answering the preceding interrogatory given any statement or report in connection with this action? If so, describe such statement or report and give the name and address of the person having custody and control thereof.

3.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, all such statements or reports. In lieu thereof, you may attach copies to your answers to these interrogatories.

4.

Please identify any entity or person with any financial interest, lease or ownership interest in the premises where the incident occurred on the date of the incident.

5.

To your knowledge, information or belief, are there any videotapes, photographs, plats or drawings of the entrance to the restroom where Plaintiff fell for the period beginning one hour before Plaintiff fell to one hour after Plaintiff fell? If so, please describe such videotapes, photographs, plats or drawings and identify the person having custody and control thereof.

6.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, all such videotapes, photographs, plats or drawings identified in response to the preceding interrogatory. In lieu thereof, you may attach copies to your answers to these interrogatories.

7.

Has any entity issued a policy of liability insurance, including any umbrella policies, to the defendant? If so, state the names of all insurers providing liability insurance and give the limits of coverage of each such policy.

8.

Has any insurer referred to above denied coverage or reserved its right to later deny coverage under any such policy of liability insurance? If so, please explain.

9.

Do you contend that the plaintiff caused or contributed to the incident in question? If so, state with particularity each and every fact upon which your contention is based.

10.

If you intend to call any expert or technician as a witness at the trial of this action, state the subject matter on which he/she is expected to testify and state in

detail the opinions held by each such expert or technician and give a complete summary of the grounds for each opinion held.

11.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, any videotape, photograph, report, data, memoranda, handwritten notes or other document reviewed by or generated by an individual identified in response to the preceding interrogatory. In lieu of this, you may attach copies thereof to your answers to these interrogatories.

12.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, any documents obtained through a request for production of documents or subpoena. In lieu of this, you may attach copies thereof to your answers to these interrogatories.

13.

Please identify every document or thing that evidences, pertains to, constitutes or bears upon any training materials used by you in the last five years with respect to preventing or responding to slip and falls or trip and falls at the store.

14.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, any and all documents or things identified in response to the preceding interrogatory. In lieu of this, you may attach copies thereof to your answers to these interrogatories.

15.

In regard to any document that has not been produced on grounds of privilege, please state the following:

- (a) The date each document was generated;
- (b) The person generating each document;
- (c) The present custodian of each document;
- (d) A description of each document.

16.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, any videotapes, photographs, correspondence, memoranda, records, files, or other documents or tangible evidence concerning, referencing or depicting the plaintiff or the incident in question. In lieu of this, you may attach copies thereof to your answers to these interrogatories.

17.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, any incident report or other report concerning the incident described in the complaint. In lieu of this, you may attach copies thereof to your answers to these interrogatories.

18.

Describe the composition of the floors in the area where Plaintiff fell.

19.

Identify every person who inspected, cleaned or maintained the area where Plaintiff fell on the day of Plaintiff's fall.

20.

Identify every document that evidences each inspection, cleaning or maintenance of the area where Plaintiff fell on the day of Plaintiff's fall.

21.

Describe in detail your policy and procedure for inspecting, cleaning or maintaining the area where Plaintiff fell and identify every document or thing that sets forth such policy or procedure.

22.

Forty-five days after service hereof, you are requested to produce for inspection and copying by the plaintiff at the offices of Morse and Edwards, LLC, 191 Cleveland Avenue, SW, Atlanta, Georgia 30315, any and all documents or things identified in response to the preceding interrogatory. In lieu thereof, you may attach copies to your answers to these interrogatories.

23.

Identify the persons or entities who last cleaned the floor in the area where Plaintiff fell before Plaintiff's fall.

24.

If you contend that there is a person or entity other than you that is an indispensable party to this action, please identify every such person or entity and set forth the facts that support your contention.

This 20th day of January, 2023.

/s/ Robert C. Edwards

Robert C. Edwards
Georgia Bar No. 241543
Attorney for Plaintiff

Morse and Edwards, LLC
191 Cleveland Avenue, SW
Atlanta, GA 30315
(404) 762-1100, ext. 211
redwards@morseandedwardslaw.com

*****THESE INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS WERE SERVED WITH THE COMPLAINT AND SUMMONS*****